

REMARKS

Claims 1-7 are pending.

Claims 1-7 stand rejected.

Claim 6 is currently amended.

The Specification and Abstract are currently amended to correct typographical errors.

Rejections under 35 U.S.C. § 102(e)

Claims 1-7 stand rejected under 35 U.S.C. 102 (e) as anticipated by U.S. Patent No. 6,810,404 (hereinafter "*Ferguson*"). Applicants traverse these rejections.

A claim is anticipated only if every element as set forth in the claim is found in a single prior art reference. MPEP § 2131. An anticipating reference must describe the patented subject matter with sufficient clarity and detail to establish that the subject matter existed and that its existence was recognized by persons of ordinary skill in the field of the invention. *ATD Corp. v. Lydall, Inc.*, 159 F.3d 534, 545 (Fed. Cir. 1998). Further, there must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. *Scripps Clinic & Research Foundation v. Genentech, Inc.*, 927 F.2d 1565, 1576 (Fed. Cir. 1991). The Examiner has not met this burden as to the claims of the present application.

Claim 1 recites a method for processing documents including, "providing customized code" and "invoking the customized code when an off-loading request is issued." *Ferguson* does not disclose these elements. The Specification of the present application discloses, "LotusNotes supports writing of customized code." See Specification, page 2, line 10. *Ferguson* does not disclose such customized code. The cited portion of *Ferguson* discloses "a number of core features 150 as well as a number of document management utilities." See *Ferguson*, col. 3, lines 47-50. Neither the core features nor the document management utilities are described as "customized code." The Examiner also references *Ferguson's* disclosure of a "file helper utility." See Office Action mailed 02/25/2005 (citing *Ferguson*, col. 17, lines 12-20). *Ferguson's* file helper utility is not "customized code for execution during

the off-loading process" nor does *Ferguson* disclose "invoking the customized code when the off-loading request is issued." To the extent the file helper utility may be "customized," the cited portion of *Ferguson* discloses that a user is provided an interface that permits the user to select conditions that trigger the automatic archiving process. *See Ferguson*, col. 17 lines 20-25. Customizing parameters that trigger off-loading is distinguishable from "invoking the customized code when an off-loading request is issued." Clearly, the customized portion of *Ferguson's* file helper utility would have to run before off-loading, since the customized portion is what triggers the off-loading to begin. Therefore, *Ferguson's* disclosure of selecting conditions that trigger an archiving process is distinguishable from claim 1's subject matter relating to "providing customized code" and "invoking the customize code when an off-loading request is issued."

Further, even if *Ferguson's* "file helper utility" is construed as claim 1's "off-loading process," *Ferguson* does not disclose every element of claim 1. *See Ferguson*, col. 17, lines 11-14. *Ferguson's* file helper is described as an "archiving utility" that "keeps the document collection tidy" and "automatically archived files." *See Ferguson*, col. 17, lines 11-50. Therefore, *Ferguson's* "file helper utility" may, for arguments sake, more appropriately be considered claim 1's "off-loading process." However, with this interpretation, *Ferguson* does not disclose the subject matter of claim 1 because *Ferguson* does not disclose "customized code for execution during the off-loading process" and "invoking the customized code when the off-loading request is issued."

The Examiner also cites to *Ferguson's* disclosure of a "task manager utility" as disclosing "customized code for execution during the off-loading process." *See* Office Action mailed 02/25/2005 (citing *Ferguson* col. 17, lines 59-67). *Ferguson's* task manager utility is not described as customized code nor is it described as being invoked when an off-loading request is issued. Rather, the task manager utility is launched when a host computer is booted. *See Ferguson*, col. 17, lines 60-63. The task manager utility is described as mainly functioning to facilitate background or batch processing jobs such as importing documents into the document collection. *See Ferguson*, col. 17, lines 63-65. Facilitating batch processing jobs "such as importing

"documents" is patentably distinguishable from invoking the customized code when an off-loading request is issued. *See Ferguson*, col. 17, lines 64-67. Further, *Ferguson's* task manager utility is neither disclosed as "customized code" nor as being invoked when an off-loading request is issued." Therefore, under the various interpretations of *Ferguson*, claim 1 does not disclose every element of claim 1. Accordingly, claim 1 is patentable over *Ferguson*.

Claim 2 depends from claim 1 and further recites, "the customized code is invoked synchronously to process the document before the document has been off-loaded from the document processing system (emphasis added)." The Examiner rejects claim 2 based in part on *Ferguson's* disclosure of the "file helper utility." *See* Office Action mailed 02/25/2005 (citing *Ferguson* col. 17, lines 25-23). The cited portion of *Ferguson* discloses that the file helper utility prompts the user before the system archives a document in accordance with the user selected options. *See Ferguson*, col. 17, lines 25-28. *Ferguson's* prompting a user before a system archives a document is distinguishable from processing a document before the document has been off-loaded. Further, as discussed with regard to claim 1, *Ferguson's* file helper utility is not invoked when an off-loading request is issued. Rather, the file helper utility is described as providing a user the ability to select conditions that trigger the off-loading process. Also, since *Ferguson's* file helper is disclosed as the utility which "archives files onto removable media," it should not be construed as "customize code which is invoked synchronously to the off-loading process. In other words, *Ferguson's* file helper utility should not be construed as disclosing both claim 1's "off-loading process" and claim 1's "customized code for execution during the off-loading process." In summary, *Ferguson* neither discloses every element of claim 1 or 2. Therefore, claim 2 is patentable over *Ferguson*.

Claim 3 depends from claim 1 and further recites, "the customized code is invoked synchronously to process the document after the document has been off-loaded (emphasis added)." The cited portions of *Ferguson* disclose a "file helper utility" that archives files. *See Ferguson*, col. 17, lines 10-12. The cited portions also disclose that the file helper utility prompts a user before the system archives a document. *See Ferguson*, col. 17, lines 25-27. The "file helper utility" is described

as maintaining an index of archive documents and storing a thumbnail representation of each archive document. *See Ferguson*, col. 17, lines 33-37. A search engine is capable of searching the content of the thumbnail representations of each archive document. *See Ferguson*, col. 17, lines 37-40. The cited portions do not disclose claim 1's "customized code" that is "invoked synchronously to process the document after the document has been off-loaded." Further, the Examiner has not identified with specificity which elements in *Ferguson* correspond to these elements of claim 1. Searching the content of thumbnail representations and/or STG file data fields is distinguishable from "process[ing] the document." Therefore, in addition to the reasons discussed above with respect to claim 1, claim 3 is patentable over *Ferguson*.

Claim 4 depends from claim 1 and further recites, "the customized code forms an agent, the agent being invoked via a plug-in interface to the document processing system." The Examiner cites to 25 lines of *Ferguson* without specifying which of *Ferguson's* elements correspond to claim 4's elements. *See* Office Action mailed a 2/25/2004, page 6. For example, the Examiner has not identified which of the cited text discloses "the agent," "the customized code," "the document processing system," or the "plug-in interface." *See* Office Action mailed 02/25/2005, page 6 (citing *Ferguson*, col. 3, lines 30-55). *Ferguson* does not disclose customized code for execution during the off-loading process that is invoked when an off-loading request is issued (claim 1) and that forms an agent invoked via a plug-in interface (claim 4). Therefore, for at least the reasons discussed with regard to claim 1, claim 4 is patentable over *Ferguson*.

Claim 5 depends from claim 1 and further recites, "wherein the customized code runs inside a plug-in architecture." Again, the Examiner cites to 25 lines of *Ferguson* without specifying which of *Ferguson's* elements correspond to claim 5's elements. *See* Office Action mailed a 2/25/2004, page 6. For example, the Examiner has not identified which part of the cited text discloses "the customized code" or "a plug-in architecture." *See* Office Action mailed 02/25/2005, page 6 (citing *Ferguson*, col. 3, lines 30-55). *Ferguson* does not disclose customized code for execution during an off-loading process that is invoked when an off-loading request is issued

and that runs inside a plug-in architecture. Therefore, for at least the reasons discussed with regard to claim 1, claim 5 is patentable over *Ferguson*.

Claim 6 is a method for executing an agent comprising customized code. The method includes selecting a document, creating an archiving request to an archiving engine, invoking a pre-archiving agent (if any), invoking a post-archiving agent (if any), and marking the archived document as 'archived' when the post archiving agent is finished." The Examiner has not cited any disclosure of *Ferguson* which teaches executing an agent comprising customized code. Without specifying which agent in *Ferguson* contains customized code, the Examiner cites to Fig. 1B; the SUMMARY; col. 3, line 24 through col. 4, line 35; and col. 17, line 12 through col. 18, line 35. *Ferguson's* Figure 1B discloses utilities for document importing, directory monitor, indexing and retrieving, categorizing, archiving, property sheet, clipping document, annotation, viewing, searching, browsing, and task manager. None of these utilities in *Ferguson's* Figure 1B is described as an agent comprising customized code. Also, *Ferguson's* Summary does not disclose an agent comprising customized code. *Ferguson's* STG file is not disclosed as an agent comprising customized code. See *Ferguson*, col. 3, lines 60-65. Likewise, instead of being "customized," the STG file and is described as having "a number of standardized data fields (emphasis added). " See *Ferguson*, col. 3, lines 65-67. Similarly, *Ferguson's* file helper utility is not described as containing "customized code." See *Ferguson*, col. 17, lines 12-67. To the extent in *Ferguson's* file helper utility is construed as an agent having "customized code" in that it allows a user to select conditions that trigger automatic archiving, the file helper utility should not also be construed as the "pre-archiving agent."

Regarding claim 6, *Ferguson's* system would not function as interpreted by the Examiner. According to the Examiner's interpretation, *Ferguson* makes an index of archived documents before the documents are marked "archived." Claim 6, however, requires that archived documents are marked as 'archived,' "when the post-archiving agent is finished (emphasis added)." The Examiner cites *Ferguson's* disclosure of "the file helper utility continues to make an index of each archived document (acting as a post-archiving agent)." See Office Action mailed 02/25/2005,

page 4. The Examiner then cites to *Ferguson's* changing the thumbnail representation as disclosing claim 6's "marking the archived document as archived." Applicants find it illogical that *Ferguson's* system would be able to index "archived" documents before the documents are marked "archived." Therefore, because *Ferguson's* post-archiving agent (indexing) occurs before *Ferguson's* marking, the Examiner's interpretation of *Ferguson* does not meet the claim elements which require "when the post archiving agent is finished." Therefore, *Ferguson* does not disclose every limitation of claim 6. Accordingly, claim 6 is patentable over *Ferguson*.

Claim 7 recites a system for processing documents being off-loaded, a means for providing customized code for execution during the off-loading process, and a means for invoking the customized code when an off-loading request is issued. The Examiner has not cited any portion of *Ferguson* that discloses a means for providing customized code. The Examiner cites *Ferguson's* disclosure of numerous "core features." See Office Action mailed 5/2005 (citing col. 3, line 47-59). *Ferguson's* core features are not described as a means to provide customized code. The Examiner also cites to *Ferguson* "file helper or archiving utility." The cited portion describes the "file helper utility" keeping the document collection tidy and automatically archiving files onto media. See *Ferguson*, col. 17, lines 1-15. The Examiner also cites to *Ferguson* "task manager utility." The task manager utility is described as a "single instant utility" that is launched when the host computer is booted after loading the software associated with the present invention. See *Ferguson*, col. 17, lines 57-62. The "task manager utility" is not described as a means for providing customized code. Therefore, *Ferguson* does not disclose every limitation of claim 7. Accordingly, claim 7 is patentable over *Ferguson*.

Conclusion

Ferguson does not disclose every limitation of any pending claim. The Examiner fails to establish a *prima facie* case that any claim is unpatentable over the *Ferguson*. Therefore, claims 1-7 are allowable over *Ferguson*. Applicants respectfully request an early allowance of claims 1-7.

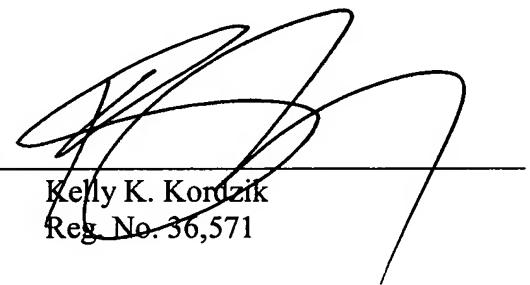
Applicants respectfully request that the Examiner call Applicants' attorney at the below-listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

Attorneys for Applicants

By:


Kelly K. Komzik
Reg. No. 36,571

P.O. Box 50784
Dallas, TX 75201
(512) 370-2851

Austin_1 281230v.1